

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROBERT M. ROGERS, Ph.D.,
Plaintiff,

v.

UNUM LIFE INSURANCE COMPANY OF
AMERICA and UNUM GROUP,
Defendants

CIVIL ACTION NO.

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441 and 1446, the defendants, Unum Life Insurance Company of America (“Unum Life”) and Unum Group, remove this action to the United States District Court for the District of Massachusetts. The grounds for removal are as follows:

1. On July 15, 2022, the plaintiff filed this action in Worcester Superior Court, Civil Action No. 2285CV00816-A.

2. The plaintiff has served a Summons and the Complaint on both Unum Life and Unum Group. Unum Life and Unum Group accepted service of the Summons and Complaint on August 1, 2022. (A copy of the Summons and Complaint are attached as Exhibits A and B respectively.). Accordingly, this Notice of Removal is being filed within the time period required by 28 U.S.C., § 1446(b).

3. The plaintiff asserts a claim for benefits pursuant to the Employee Retirement Income Security Act of 1974 (“ERISA”), 29 U.S.C. § 1001 et seq. Accordingly, the plaintiff’s claims arise out of an employee welfare benefit plan within the meaning of ERISA.

4. Because this matter is an action arising under federal law of which this Court has original federal question jurisdiction, as authorized by 28 U.S.C. §1331, it is subject to removal under 28 U.S.C. §1441.

5. In addition, because all of the parties residing in Massachusetts reside in the Eastern Division, this case is removed to that division.

UNUM LIFE INSURANCE COMPANY
OF AMERICA and UNUM GROUP,

By their attorney,

/s/ Joseph M. Hamilton

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Dated: August 30, 2022

CERTIFICATE OF SERVICE

I, Joseph M. Hamilton, hereby certify that I have this day served a copy of the foregoing document, by mailing a copy, first class mail, postage prepaid, to Jonathan M. Feigenbaum, Esq., Law Offices of Jonathan M. Feigenbaum, 184 High Street, Suite 503, Boston, MA 02110.

/s/ Joseph M. Hamilton

Joseph M. Hamilton

Dated: August 30, 2022